

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

RODNEY SHANE FULGHAM,	:	
	:	
Plaintiff,	:	Case No. 5:14-CV-68 (WLS)
	:	
v.	:	
	:	
GREGORY McLAUGHLIN, DON	:	
BLAKELY, and MISTIE JONES,	:	
	:	
Defendants.	:	
	:	

ORDER

Before the Court is a Recommendation (Doc. 5) from United States Magistrate Judge Stephen Hyles, entered March 24, 2014. It is recommended that the Court dismiss all of Plaintiff's 42 U.S.C. § 1983 claims regarding his transfer out of protective custody and into the disciplinary program. (*Id.* at 7.) It is also recommended that Plaintiff's retaliation claim be dismissed against Defendant Mistie Jones but that Plaintiff be permitted to proceed with his retaliation claim against Defendants Gregory McLaughlin and Don Blakely. (*Id.* at 7-8.) No objections were filed within the fourteen-day period provided pursuant to 28 U.S.C. § 636(b)(1). The objection period expired on April 7, 2014. (*See* Doc. 5; Docket).

Upon full review and consideration upon the record, the Court finds that said Report and Recommendation (Doc. 5) should be, and hereby is, **ACCEPTED**, **ADOPTED** and made the Order of this Court for reason of the findings made and

reasons stated therein. Accordingly, Plaintiff's Complaint, brought pursuant to 42 U.S.C. § 1983, is **DISMISSED** as against Defendant Jones and as to Plaintiff's Fourteenth and Eighth Amendment claims related to his placement in the disciplinary program. Plaintiff's § 1983 retaliation claim may, however, proceed against Defendants McLaughlin and Blakely.

SO ORDERED, this 25th day of April 2014.

/s/ W. Louis Sands

W. LOUIS SANDS, JUDGE
UNITED STATES DISTRICT COURT